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*Attorneys for Defendants  
Xoom Corporation, John Kunze,  
and Ryno Blignaut*

*(Additional counsel on signature page)*

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

ALEXANDER LIU, Individually and On Behalf  
of All Others Similarly Situated.

**Plaintiff**

V.

XOOM CORP., JOHN KUNZE, AND RYNO BLIGNAUT.

#### Defendants.

Case No. 5:15-cv-00602-LHK

## CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER  
TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCES AND  
RESET RELATED DEADLINES**

Date: June 3, 2015

Time: 2:00 p.m.

Courtroom: 8 - 4th Floor

Judge: Honorable Hon. Lucy H. Koh

PATRICK ANDREW BARRETT, Individually and On Behalf of All Others Similarly Situated,

**Plaintiff**

V.<sub>3</sub>

XOOM CORP., JOHN KUNZE, AND RYNO  
BLIGNAUT

#### Defendants.

Case No. 5:15-cv-01319-LHK

1 Pursuant to Civil Local Rules 6-2, 7-12 and 16-2, Plaintiff Alexander Liu and Plaintiff  
2 Patrick Andrew Barrett (collectively, “Plaintiffs”) and Defendants Xoom Corporation, John Kunze,  
3 and Ryno Blignaut (collectively, “Defendants” and, together with Plaintiffs, the “Parties”) hereby  
4 agree and stipulate that good cause exists to request an order from the Court rescheduling the Initial  
5 Case Management Conferences currently set for June 3, 2015 in the two related cases *Liu v. Xoom*  
6 *Corp. et al.*, Case No. 5:15-cv-00602-LHK (“*Liu*”) and *Barrett v. Xoom Corp., et al.*, Case No. 5:15-  
7 cv-01319-LHK (“*Barrett*”), and accordingly resetting all associated deadlines.  
8

9 WHEREAS, the *Liu* and *Barrett* cases are putative class actions for alleged violations of  
10 Sections 11 and 15 of the Securities Act of 1933 filed ostensibly on behalf of all similarly-situated  
11 individuals who purchased common stock of Xoom allegedly “pursuant and/or traceable to  
12 [Xoom’s] Registration Statement and Prospectus, declared effective by the SEC on February 14,  
13 2013, issued in connection with [Xoom’s] Initial Public Offering (the ‘IPO’).” *Liu* Complaint ¶ 1;  
14 *Barrett* Complaint ¶ 1.

15 WHEREAS, Plaintiffs initiated the *Liu* and *Barrett* actions by filing complaints in the San  
16 Francisco Superior Court, which Defendants subsequently removed to the Northern District of  
17 California;

18 WHEREAS, on February 27, 2015, Plaintiff Alexander *Liu* filed a Motion to Remand (the  
19 “Motion to Remand”) which has been fully briefed and is set for hearing on July 2, 2015;

20 WHEREAS, on March 26, 2016, the Court granted Defendants’ Administrative Motion and  
21 approved the Parties’ Stipulation relating the *Liu* and *Barrett* actions and ordering that this Court’s  
22 ruling on the pending Motion to Remand in the first filed *Liu* action will also apply to the second,  
23 related *Barrett* action;

24 WHEREAS, the hearing on the Motion to Remand is set for July 2, 2015, which date is after  
25 the Initial Case Management Conferences currently set for June 3, 2015 and all related deadlines;

26 WHEREAS, if the Motion to Remand is granted, the cases will be remanded to the San  
27 Francisco Superior Court, negating the need for the exchange of initial disclosures or Case  
28 Management Conferences;

1        WHEREAS, if the Motion to Remand is denied, then the Court will address, among other  
2 things, Plaintiffs' motion(s) to consolidate and to file (an) amended pleading(s) and Defendants'  
3 anticipated motion(s) to dismiss;

4        WHEREAS, the Parties agree that because the Private Securities Litigation Reform Act of  
5 1995 (the "PSLRA") stays all discovery, including initial disclosures, pending the disposition of  
6 motions to dismiss in securities actions such as this one, it is appropriate to defer the initial case  
7 management conferences and the completion of initial disclosures until Defendants have had the  
8 opportunity to file any motion(s) to dismiss, and the Court has ruled on Defendants' anticipated  
9 motion to dismiss. *See, e.g., Medhekar v. United States Dist. Court*, 99 F.3d 325, 328-29 (9th Cir.  
10 1996) (holding F.R.C.P. 26(a)'s initial disclosure requirements are disclosures or other proceedings  
11 for purposes of PSLRA's stay provision, and must be stayed pending disposition of motion to  
12 dismiss);

13        WHEREAS, because the resolution of the Motion to Remand and/or Defendants' anticipated  
14 motion(s) to dismiss may dispose of the action in its entirety, or alter the issues in the lawsuit,  
15 deferring the initial case management conferences and the completion of initial disclosures until the  
16 Court has resolved the Motion to Remand and/or Defendants' anticipated motion(s) to dismiss  
17 would further the interests of judicial economy and preserve the resources of the Parties;

18        NOW, THEREFORE, PURSUANT TO CIVIL LOCAL RULES 6-2, 7-12 and 16-2, IT IS  
19 HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

20        1.        The Court's orders setting the Initial Case Management Conferences and the related  
21 deadlines therein are hereby vacated;

22        2.        This Stipulation is entered into without prejudice to any party seeking any interim  
23 relief;

24        3.        Nothing in this Stipulation shall be construed as a waiver of any of Defendants' rights  
25 or positions in law or equity, or as a waiver of any defenses that Defendants would otherwise have,  
26 including, without limitation, service of process and jurisdictional defenses; and

1       4. The Parties do not seek to reset these dates for the purpose of delay, and this  
2 Stipulation will not have an effect on any pre-trial and trial dates as the Court has yet to schedule  
3 such dates.  
4

5 Dated: May 18, 2015

Respectfully submitted,

6 **GOODWIN PROCTER LLP**

7 By: /s/ Brian E. Pastuszenski

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17 *Attorneys for Defendants*  
18 XOOM CORPORATION, JOHN KUNZE,  
AND RYNO BLIGNAUT  
19

20 Dated: May 18, 2015

21 **THE ROSEN LAW FIRM P.A.**

22 By: /s/ Laurence M. Rosen

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26 ALEXANDER LIU  
27  
28

1 Dated: May 18, 2015

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2 By:/s/ Lionel Z. Glancy

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15         *Attorneys for Plaintiff*  
16         PATRICK ANDREW BARRETT

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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4 ENTERED: \_\_\_\_\_

5 HONORABLE LUCY H. KOH  
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HONORABLE LUCY H. KOH  
UNITED STATES DISTRICT JUDGE

## **CIVIL L.R. 5-1 ATTESTATION**

I, Brian E. Pastuszenski, am the ECF User whose ID and Password are being used to file this STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCES AND RESET RELATED DEADLINES. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Laurence M. Rosen, counsel for Plaintiff Alexander Liu, and Lionel Z. Glancy, counsel for Plaintiff Patrick Andrew Barrett has concurred to its filing.

Dated: May 18, 2015

/s/ Brian E. Pastuszenski  
Brian E. Pastuszenski

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on May 18, 2015, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil L.R. 5-1(h). Any counsel of record who have not consented to electronic service through the Court's CM/ECF system will be served by first class mail, facsimile and/or overnight delivery.

/s/ Brian E. Pastuszenski  
Brian E. Pastuszenski